

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:09-CR-17
)	
MODESTO GUTIERREZ-JOSE)	COLLIER/CARTER
a/k/a MODESTO PEREZ-VASQUEZ,)	
Defendant.)	

ORDER

On April 28, 2009, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant Modesto Gutierrez-Jose's ("Defendant") plea of guilty to Count One of the Indictment, (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (c) Defendant shall remain in custody pending sentencing in this matter (Court File No. 14). Neither party filed an objection within the given ten days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 14) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment; and
- (3) Defendant **SHALL REMAIN** in custody pending sentencing on **Thursday, July 23, 2009, at 2:00 pm.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE